

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RICK D. LANGE, Chapter 7 Trustee;

Plaintiff,

vs.

K-V PHARMACEUTICAL COMPANY,

Defendant.

4:11CV3034

MEMORANDUM AND ORDER

During the conference call held today, the parties explained that they are having difficulty locating and deposing fact witnesses for this case, including a witness located in Italy. After conferring with the parties,

IT IS ORDERED:

- 1) The parties' oral motion to continue, (filing no. 44), is granted.
- 2) The trial and pretrial conference are continued pending further order of the court.
- 3) A status conference will be held on September 4, 2012 at 10:00 a.m. to discuss whether discovery is complete or the estimated completion date; whether the parties will waive a jury trial; the trial and pretrial conference settings; and the status of any settlement discussions. Counsel for the plaintiff shall place the call.
- 4) If the parties consent to final disposition of the case by the undersigned magistrate judge, on or before **September 4, 2012** they shall complete the "[CONSENT TO RANDOM ASSIGNMENT TO MAGISTRATE JUDGE](#)" located on the court's website at <http://www.ned.uscourts.gov/forms/>. After all parties have signed this form, e-mail it in .pdf format to consent@ned.uscourts.gov. Do not electronically file this form or submit it to chambers.

July 10, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge